

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Allegation of corruption against Sri Upputuri Seetharamaiah, Assistant Executive Engineer, O/o Deputy Executive Engineer, Irrigation Department, Kandukur, Prakasam District – Trapped on 26.03.2012 – Sanction of Prosecution – Orders – Issued.

IRRIGATION & COMMAND AREA DEVELOPMENT (Ser.VI-1) DEPARTMENT

G.O.Ms.No. 29

Dated: 29.05.2013.

ORDER:-

Whereas, Sri Upputuri Seetharamaiah, Assistant Executive Engineer, O/o. Deputy Executive Engineer, Irrigation Department, Kandukur, Prakasam District worked from 10.12.2008 to 26.03.2012 and by virtue of post held by him he falls under the category of “Public Servant” as defined under Section 2 (c) of the Prevention of Corruption Act, 1988, (Act 49 of 1988).

2. And whereas, on 24.03.2012 at 16-30 hours, Sri. A. Niranjan Reddy came to the O/o. Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore and gave a written report stating that he is the native of Indupur Village, Allur Mandal. He is a civil contractor and obtained license to work in Irrigation Department vide Reg.No.03/2008. He is the successful tenderer of the development works to Chowtapalem tank of Chowtapalem (V) of Ponnalur Mandal which falls under Ongole Circle office through ‘e’ tenders on 19.05.2008 with estimation of Rs.28.00 lakhs and he quoted for the work for 21.69% less i.e. Rs.21,90,526/- and made agreement vide Agreement No.31/08-09. He completed the said work by 31.08.2009. Sri A.Niranjan Reddy received the payments for the same on 22.02.2011. The maintenance period for the above work was 2 years and was expired by 31.08.2011. Since then i.e., for the last 6 months he has been approaching Singarayakonda Irrigation Office for getting his EMD Deposits, FSD, Insurance, Technical persons etc., for about Rs.1,60,140/- and he was informed by Sri U. Seetharamaiah that the concerned M-Book was not available at Singarayakonda office. Sri A. Niranjan Reddy learnt that the said M-Book was taken away by the then Sri U. Seetharamaiah who has been transferred from Singarayakonda to Kandukur. Sri A.Niranjan Reddy approached Sri U.Seetharamaiah and Sri U. Seetharamaiah demanded Rs.20,000/- as bribe to return the M-Book to the concerned. For the last six months he had been approaching Sri U.Seetharamaiah at his office and also at his residence and requesting him to send the M-Book to the concerned. But Sri U.Seetharamaiah put his words with deaf ear and demanding for bribe amount. On 17.03.2012 Sri A.Niranjan Reddy again met Sri U. Seetharamaiah at his residence and requested to send the said M-Book to Assistant Executive Engineer, Singarayakonda. Sri U. Seetharamaiah again demanded for Rs.20,000/- as bribe and on repeated requests of Sri A.Niranjan Reddy, Sri U. Seetharamaiah finally reduced the bribe amount to Rs.7,500/- and if Sri A.Niranjan Reddy fails to pay the said bribe amount he would not send the said M-Book to the concerned. As there was no other go, Sri A.Niranjan Reddy agreed to pay Rs.7,500/- as bribe and returned. As Sri A.Niranjan Reddy was not willing to pay the bribe amount to Sri U. Seetharamaiah, he approached the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore and lodged a written report for necessary action against Sri U.Seetharamaiah.

(P.T.O)

3. And whereas, on 26.03.2012 the Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore registered a case in Cr.No.07/RCT-NPK/2012 after observing all legal formalities. The Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore conducted pre-trap proceedings in his office on 26.03.2012 between 08.50 hours to 09.50 hours in the presence of two mediators. The other Inspectors, staff and Sri A.Niranjan Reddy also present during that time. All the required formalities to be observed were complied with.

4. And whereas, on 26.03.2012 Sri Upputuri Seetharamaiah, Assistant Executive Engineer, was trapped when he demanded and accepted bribe amount of Rs.7,500/- (Rupees Seven thousand five hundred only) from Sri A.Niranjan Reddy in the O/o. Assistant Executive Engineer, Irrigation Circle. Sri A.Niranjan Reddy took the tainted amount from his left side shirt pocket and handedover to Sri U. Seetharamaiah. Sri U. Seetharamaiah received the amount with his right hand, counted the same with his both hands and kept the same in his left side pocket. When both hand fingers of Sri U. Seetharamaiah subject to chemical test, they yielded positive result. Tainted currency of Rs.7,500/- was recovered from his possession. Deputy Superintendent of Police, Anti-Corruption Bureau seized that amount. The Deputy Superintendent of Police, Anti-Corruption Bureau also tested the inner linings of the shirt pocket of Sri U. Seetharamaiah in the solution and the test yielded positive result. The Deputy Superintendent of Police seized the shirt of Sri U.Seetharamaiah. The Deputy Superintendent of Police asked Sri U.Seetharamaiah to produce the M-Book pertaining to Chowtapalem Water tank of Ponnalur Mandal. On that Sri U. Seetharamaiah produced one M-Book from his right side lower drawer of the table and the same was seized by the Deputy Superintendent of Police, Anti-Corruption Bureau and he also seized the documents. Sri U. Seetharamaiah was arrested by Deputy Superintendent of Police, Anti-Corruption Bureau, Nellore on 26.03.2012 at 18-00 hours after explaining the grounds of his arrest. The above proceedings were reduced into writing in the form of Mediator Report No.2 in detail.

5. And whereas, the acts of Sri Upputuri Seetharamaiah, Assistant Executive Engineer, O/o. Deputy Executive Engineer, Irrigation Department, Kandukur, Prakasam District constitute the offences punishable U/s. 7, and section 13(2) read with section 13(1) (d) of the Prevention of Corruption Act, 1988 (Act of 49 of 1988).

6. “And whereas, the Government of Andhra Pradesh being the authority competent to remove the said Sri Upputuri Seetharamaiah, Assistant Executive Engineer, O/o. Deputy Executive Engineer, Irrigation Department, Kandukur, Prakasam District after fully and carefully examining the materials viz., copy of F.I.R., copies of Statements of witnesses, copies of documents and mediator reports and other material placed before them, in regard to the said allegations and circumstances of the case, consider that the said Sri Upputuri Seetharamaiah, Assistant Executive Engineer, O/o. Deputy Executive Engineer, Irrigation Department, Kandukur, Prakasam District should be prosecuted in a court of law for the said offences”.

(Contd...Pg.3)

7. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988, (Act 49 of 1988) the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri Upputuri Seetharamaiah, Assistant Executive Engineer, O/o. Deputy Executive Engineer, Irrigation Department, Kandukur, Prakasam District for the offences punishable under section 7, and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act of 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(V.NAGI REDDY)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General, Anti-Corruption Bureau, Hyderabad.
The Law (B) Department.

// FORWARDED: BY ORDER//

SECTION OFFICER